

**DISTRICT WEST INDEPENDENT OVERSIGHT COMMITTEE
DEPARTMENT OF ECONOMIC SECURITY
DIVISION OF DEVELOPMENTAL DISABILITIES**

COMMITTEE GUIDELINES

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ARTICLE I: NAME

The name of this committee is the Independent Oversight Committee District West (IOC District West).

ARTICLE II: OBJECTIVES

- Section 1. The Independent Oversight Committee District West will provide independent advisory oversight, review and make recommendations so that the guaranteed rights (A.R.S. § 36.551.01) will be protected for the persons with developmental disabilities who reside in the State of Arizona.
- Section 2. The IOC District West shall review all aversive or intrusive programs in order to ensure that basic rights and the rights to treatment are not infringed upon for the convenience of staff, relatives, or community. The IOC District West may recommend approval of the program; recommend non-approval until changes and/or revisions are made in the program or recommend that the program not be approved at all.
- Section 3. The IOC District West will review all behavior modifying medical programs and/or medications which can cause behavior change as a side effect. When the IOC District West reviews the use of behavior modifying medications, it shall receive information from the prescribing physician and the member's interdisciplinary team describing the need for such medication and possible side effects. The IOC District West will ensure that basic rights and the right to treatment are not infringed upon for the convenience of staff, relatives, or community.
- Section 4. The IOC District West will review all allegations of possible abuse, neglect, or denial of members rights to ensure the protection of the rights of persons with developmental disabilities.
- Section 5. The written proposal of research projects will be submitted to the Independent Oversight Committee for review and comment. The IOC District West may request an interview with the person proposing the project to assure the research project will not deny any member's rights of those members who participate.

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The IOC District West will ensure appropriate procedures are in place to protect the confidentiality and privacy of member information and records. All research must comply with Division of Developmental Disabilities policies prior to initiation.

- Section 6. The IOC District West may review general rights issues, e.g., the right to adequate treatment, the right to public education, alone or in consultation with the District Program Manager and/or with any other Arizona Division of Developmental Disabilities personnel.
- Section 7. The IOC District West, in consultation with the District Program Manager, may visit a Division-funded day/ICF setting in which a member for whom the IOC District West is reviewing a program lives or works, and attend Individual Program Planning meetings, and Program Review Committee meetings.
- Section 8. The IOC District West, in consultation with the District Program Manager, may review all Incident Reports on a monthly basis.
- Section 9. The IOC District West, in consultation with the District Program Manager, may review all records.
- Section 10. The IOC District West may, in consultation with the District Program manager, review proposed and existing policies and procedures or guidelines relevant to rights of members being served by AZ DDD and make recommendations.
- Section 11. The IOC District West shall submit written questions and/or objections to specific problems or violations of member's rights by AZ DDD employees or service providers to the Director of the appropriate department for review. The Director has 21 days to respond.

ARTICLE III: MEMBERSHIP

- Section 1. The IOC District West will be composed of at least seven and not more than fifteen persons with expertise in one or more of the following areas: psychology, law, medicine, education, special education, social work, criminal justice, and at least two parent/guardian, of an individual with developmental disabilities who is served by the Division.
- Section 2. When there is a vacancy, the IOC District West may recommend membership of a nominee, upon at least majority vote, to the Director who will appoint the nominee to become a member.

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- Section 3. All members must be at least 18 years of age.
- Section 4. Members must be willing to commit to an initial two-year term of service.
- Section 5. There are no term limits.
- Section 6. No employee of the Division shall be a voting member.
- Section 7. No contract service provider or consultant may be a voting member.
- Section 8. Terms of members will end upon five or more unexcused absences in a calendar year, as determined by the Chairperson. The IOC District West will formally terminate each membership with a majority vote.
- Section 9. Members may be removed by a quorum vote.
- Section 10. Resignation must be communicated to the Chairperson in writing or by written electronic communication.

ARTICLE IV: OFFICERS

- Section 1. The officers of the IOC District West will be a Chairperson and Vice-Chairperson.
- Section 2. The officers shall be elected every two years and shall perform duties in the manner prescribed in these Guidelines and by parliamentary authority adopted by the IOC District West.
- Section 3. The Chairperson will coordinate the activities of the IOC; schedule meetings, set agenda, preside at meetings, review minutes, appoint sub-committees; attend quarterly statewide Chairpersons meetings as scheduled, cancel any regular meetings if necessary due to lack of quorum or any other duties required to achieve the objectives of the IOC District West. The Vice-Chairperson will perform the duties of the Chairperson in their absence.
- Section 4. In the event the Chairperson resigns before the end of the term, the Vice-Chairperson shall act as interim Chairperson until a new Chairperson has been elected. At the next scheduled meeting, members will hold an election for the new Chairperson.

ARTICLE V: MEETINGS

- Section 1. The IOC District West will meet at least six times a year.
- Section 2. Attendance for meetings can occur electronically or in person.

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ARTICLE VI: COMMITTEES

Ad Hoc committees may be formed and dissolved by the Chairperson as needs arise.

ARTICLE VII: PARLIAMENTARY AUTHORITY

Section 1. The rules contained in the current edition of the Roberts' Rules of Order Newly Revised shall govern the IOC District West as long as such rules are not inconsistent with court settlements, Arizona Revised Statutes, rules, regulations or standard operating procedures or articles of these Guidelines.

Section 2. When a vote results in a tie, the Chairperson shall make a determination.

Section 3. A quorum shall be 50% of the current membership.

ARTICLE VIII: OPEN MEETING LAW PRACTICES

All IOC District West meetings shall be held in accordance with Arizona Revised Statutes pertaining to open meeting laws.

ARTICLE IX: CONFIDENTIALITY

All members will sign a statement agreeing to adhere to applicable statutes and rules regarding confidentiality.

ARTICLE X: ADMINISTRATIVE REVIEW

If the majority of IOC District West members cannot resolve an issue with the District Program Manager, the IOC District West will communicate in writing to the Assistant Director of the Division of the Developmental Disabilities, Department of Economic Security. This failing, the IOC District West may follow practices of appeals and hearings. (R6-6-20)

ARTICLE XI: ANNUAL REPORT

The IOC District West shall issue an annual report which will summarize its activities and make recommendations on changes the Department should consider implementing.

ARTICLE XII: EXPENSES

IOC District West members will be remunerated by the Division for expenses incurred in the activities of their work. Such expenses will include mileage costs for travel, and conference

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costs and other costs which the District Program Manager deems appropriate. The IOC District West may also request the services of a consultant whose services will be paid for by the Division.

ARTICLE XIII: RECORDS

The IOC District West will keep written records of all open and executive meetings, including the voting record.

ARTICLE XIV: SUPPORT STAFF

District West staff person will act as liaison and support staff for the IOC District West with no voting privilege. The role is to assist the IOC District West, and activities may include: collecting, condensing, and preparing materials for the IOC District West; arranging presentations; acting as interface between the IOC District West and department staff; preparing agendas for the IOC District West; physical meeting preparation; conference preparation and administration. In consultation with the IOC District West, the staff person may help with the preparation of the Annual Report. The IOC District West may also request a consultant.

ARTICLE XV: CONFLICT OF INTEREST

The Chairperson will direct any IOC District West member to refrain from presenting a case or voting when a conflict of interest arises. Any member who considers himself/herself in conflict of interest will announce such a situation to the Chairperson.

ARTICLE XVI: AMENDMENT OF GUIDELINES

Section 1. These Guidelines may be amended at any regular meeting of the IOC District West by a majority vote of the full committee, provided the amendment has been submitted in writing at the previous regular meeting. The Guidelines and proposed amendment copies will be sent to the District Program Manager.

Section 2. Standing rules may be revised by majority vote at any regular meeting.

ARTICLE XVI: HOW TO ACCESS THE COMMITTEE

Requests may be surfaced to the IOC District West through one of its members, a District Program Manager, or a District Program Manager designee by any of the following: DDD or contract provider staff, Program Review Committee members, Individuals served, parents, ADOA or other interested parties.